

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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EMC MORTGAGE CORPORATION,

05 CV 1741 (NG) (JMA)

Plaintiff,

- against -

ORDER

**D&M FINANCIAL CORP., DIMITRI MICHELAKI,
REGENCY CAPITAL FUNDING, LOU SANDELLA
and ANDY PERDIKOS,**

Defendants.

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GERSHON, United States District Judge:

In this action alleging breach of contract and various torts arising from plaintiff's purchase of certain mortgage loans in the secondary mortgage market, plaintiff, on July 13, 2005, filed a motion for default judgment against defendant Regency Capital Funding. Pursuant to Federal Rule of Civil Procedure 55(a), the Clerk of Court entered a notation of Regency Capital Funding's default on February 17, 2006. The Court hereby grants plaintiff's motion for default judgment against Regency Capital Funding pursuant to Rule 55(b)(2). Plaintiff's request for damages from the defaulting defendant shall await resolution of the claims against the other parties.

SO ORDERED.

NINA GERSHON
United States District Judge

Dated: Brooklyn, New York
February 23, 2006